

## **EXHIBIT C**

-----Original Message-----

From: Nash, Bradley [mailto:[bnash@cov.com](mailto:bnash@cov.com)]  
Sent: Tuesday, February 26, 2008 8:05 AM  
To: Rebekah L. Punak  
Cc: Haney, Robert  
Subject: Re: Deposition of Jacques Fabre

Rebekah:

I'm sorry I missed your call yesterday afternoon. I am busy with depositions this week in another matter. I should free up at 7 this evening NY time (4 p.m. in San Francisco). Can we talk then?

Brad

----- Original Message -----

From: Rebekah L. Punak <[RPunak@kvn.com](mailto:RPunak@kvn.com)>  
To: Nash, Bradley  
Cc: Haney, Robert  
Sent: Mon Feb 25 18:52:36 2008  
Subject: Deposition of Jacques Fabre

Dear Brad:

I attempted to reach you by telephone today to meet and confer regarding Roots' notice of deposition of Jacques Fabre for March 4, 2008. That date is inappropriate for several reasons, including the fact that Roots does not have a complaint on file, the fact that Gap will be prejudiced in its preparations even if Roots files its amended complaint immediately, and the inefficiencies for all involved in conducting a deposition in New York when Roots has not asserted claims that can survive a motion to dismiss. Given the shortness of time, I would like to meet and confer as soon as possible on a briefing schedule with the goal of scheduling a hearing before Judge Breyer on Friday. Please contact me as soon as possible.

Regards,

Rebekah

Rebekah Punak

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